

**MARICOPA COUNTY FLOOD CONTROL DISTRICT BOARD OF DIRECTORS MINUTE BOOK**

**FORMAL SESSION  
February 20, 2008**

The Board of Directors of the Flood Control District of Maricopa County, Phoenix, Arizona, convened in Formal Session at 9:00 a.m., February 20, 2008, in the Board of Supervisors' Auditorium, 205 W. Jefferson, Phoenix, Arizona, with the following members present: Andrew Kunasek, Chairman, District 3; Max W. Wilson, Vice Chairman, District 4; Fulton Brock, District 1; Don Stapley, District 2 and Mary Rose Wilcox, District 5. Also present: Fran McCarroll, Clerk of the Board; Shirley Million, Minutes Coordinator; David Smith, County Manager and Victoria Mangiapane, Deputy County Attorney. Votes of the Members will be recorded as follows: aye-nay-absent-abstain.

**FCD-1. MINUTES**

Motion was made by Director Wilcox, seconded by Director Brock, and unanimously carried (5-0) to approve the minutes of the meeting held on February 7, 2007 and February 21, 2007.

**FCD-2. EASEMENT, RIGHT-OF-WAY, AND RELOCATION ASSISTANCE DOCUMENTS**

Motion was made by Director Wilcox, seconded by Director Brock, and unanimously carried (5-0) to approve easements and right-of-way acquisition documents, appraisal and relocation assistance services contracts under \$5,000 per Resolution FCD 87-12; Escrow Instructions per Resolution FCD 87-13; Payment of Tax Notices per Resolution FCD 97-07; License Procedures and Fee Schedules per Resolution FCD2002R002; and disposal of easements, excess real property and fixtures under \$250,000 documents per FCD 1999R016 for Flood Control purposes. (ADM1910)

**Tres Rios/Salt-Gila Control Works (Per Resolution FCD 2004 R005)**

District Parcel No.: G-113 – Non-Exclusive Flood Protection Levee Easement for Flood Control Purposes – APN: 500-69-081A - from The Flood Control District of Maricopa County (Grantor) to The City of Phoenix (Grantee) – for the sum of \$1.00.

**FCD-3. IGA WITH THE CITY OF GLENDALE FOR THE 67TH AVENUE STORM DRAIN PROJECT**

Motion was made by Director Wilcox, seconded by Director Brock, and unanimously carried (5-0) to approve Amendment No. 1 to Intergovernmental Agreement (IGA) FCD 1999A015A between the Flood Control District of Maricopa County and the City of Glendale for the cost-sharing, design, rights-of-way acquisition, utility relocation, construction, construction management, and operation and maintenance of the 67th Avenue Storm Drain Project. Phase I of the Project is located along 67th Avenue from Peoria Avenue to a point 500' north and Phase II is located along 67th Avenue from Cactus Road to the Arizona Canal Diversion Channel (ACDC) (Project). The Project is estimated to cost \$3,900,000. The Amendment redefines the project time frame and the District's total project cost share. Amendment #1 is effective from date of Recording with Maricopa County Recorder and shall expire in ten (10) years or until all funding obligations and reimbursements have been satisfied which ever occurs first. (C6900048201)

**FCD-4. CHANGE ORDER WITH AMES CONSTRUCTION FOR BETHANY HOME OUTFALL CHANNEL REACH 2C**

Motion was made by Director Wilcox, seconded by Director Brock, and unanimously carried (5-0) to approve Change Order No. 7 in the amount of \$35,039.91 to the Flood Control District of Maricopa County Contract FCD 2004C055 – Bethany Home Outfall Channel (BHOC) Reach 2C (83rd Avenue to 73rd Avenue in Phoenix and Glendale) (Project) (#620), with Ames Construction, Inc. Change Order No. 7 is required in order to reconcile "As-Built" quantities with Bid Quantities and will complete the financial

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aspect of the BHOC 'C' Project. The revised contract completion date is February 29, 2008. The project is complete and accepted by all parties involved. This Change Order will close out the contract. (C6906031502)

**FCD-5. EXCESS PARCEL**

Motion was made by Director Wilcox, seconded by Director Brock, and unanimously carried (5-0) to authorize the Flood Control District to dispose of the excess parcel (as listed below) beginning in FY 2007-08. The District will utilize its Disposition Program, continuing to evaluate and analyze the best potential of leasing or sales of all real property based on prevailing market conditions. The sale price will be fair market value, to be determined by a certified licensed appraiser, either at the start point of an oral auction, or, in the event of a sale to a municipality, at fair market value without an auction. If an auction takes place, District staff will sell the parcel in compliance with A.R.S. §9-402, which mandates that an invitation for bid be published for the sale of all real property. (C6908037B00) (ADM1903-002)

- FCD Parcel: R-24 EX which is a portion of APN#s 142-60-005J, 142-60-005E & 142-60-005D

**FCD-6. IGA WITH TOWN OF GILBERT FOR COST SHARING AND DATA SHARING OF DIGITAL AERIAL ORTHO-PHOTOGRAPHY**

Motion was made by Director Wilcox, seconded by Director Brock, and unanimously carried (5-0) to approve Intergovernmental Agreement (IGA) FCD 2007A013 between the Flood Control District of Maricopa County and the Town of Gilbert. The purpose of this agreement is to define the roles and responsibilities of the District and Town for the cost sharing and data sharing of Digital Aerial Ortho-Photography. The total cost for the area to be photographed is estimated to be \$40,000. The Town will reimburse the District their cost share obligation estimated to be \$20,000. The IGA is effective upon date recorded with the Maricopa County Recorder and will expire upon completion of the PROJECT in accordance with the terms of the agreement. (C6908038200)

**FCD-7. AWARD CONTRACT TO HDR ENGINEERING, INC. FOR ENGINEERING SERVICES**

Motion was made by Director Wilcox, seconded by Director Brock, and unanimously carried (5-0) to award Contract FCD 2007C031 to HDR Engineering, Inc. to provide engineering services to include, but not limited to surveying, mapping, development of hydrology and hydraulics, and comparisons with previous studies, public involvement, coordination with the Arizona Department of Transportation (ADOT) and other stakeholders, and submittal of documents and electronic files to include Geographic Information System (GIS) formats for the Loop 303/White Tanks Area Drainage Master Plan Update Hydrologic Analysis (Project Control Number 470.14.31). The total contract amount shall not exceed \$697,663. The contract performance period is 275 calendar days from the Notice to Proceed date. (C6908039500)

**FCD-8. SOLICITATION SERIALS**

Motion was made by Director Wilcox, seconded by Director Brock, and unanimously carried (5-0) to approve the following solicitation serial items. The action on the following items is subject to Civil Division's review and approval of the respective contracts and subsequent execution of contracts. (ADM1922)

**Award**

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- 07138-S      Escrow and Title Financial Services** (\$500,000 estimate/three years with three one-year renewal options) Price agreement for escrow and title financial services for the Maricopa County Public Works Agency.
- Fidelity National Insurance Company
  - First Southwestern Title Agency
  - North American Title Company
  - Security Title Agency

**An increase in the price agreement amount for the following contracts.** This request is due to an increased usage by County departments.

- 05015-S      Landscaping and Planting Services – FCD** (\$200,000 increase) Increase price agreement value from \$500,000 to \$700,000. This \$200,000 increase is requested by the Public Works Department to continue projects by the Flood Control District until agreement expiration. This agreement was initially approved by the Board of Directors on June 8, 2005 and has an expiration date of June 30, 2010.
- Botanical Group, Inc.
  - Desert Seeders, LLC
  - Desierto Verde, LLC
  - HMI
  - Native Resources Intl., Inc.
  - Qualex Construction, Inc.
  - Westscape Environmental, Inc.
  - Sunwest Golf & Reclamation, Inc.
  - Western Sere
  - Revegetation Services
  - Sunbelt Turf & Reclamation
  - Recon, Inc.
  - Wickenburg Landscape

**MEETING ADJOURNED**

There being no further business to come before the Board, the meeting was adjourned.

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Andrew Kunasek, Chairman of the Board

ATTEST:

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Fran McCarroll, Clerk of the Board